



# 14 Response  
p19  
8/28/02

740388-0020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of:

Lawrence F. GLASER

Application No.: 09/270,710

Filed: March 16, 1999

For: METHOD OF EMBEDDING  
ADVERTISEMENTS IN COMMUNICATION

Art Unit: 2166

Examiner: A. Kalinowski  
**CERTIFICATE OF MAILING**

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Commissioner for Patents, Washington,  
D.C. 20231, on 8/12/02

Susan J. Stiles

REPLY UNDER 37 C.F.R. 1.111

Commissioner of Patents  
Washington, D.C. 20231

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AUG 27 2002

**GROUP 3600**

Dear Sir:

In response to the Examiner's Office Action mailed April 10, 2002, please  
consider the following in connection with the above-identified application.

Claims 1-22 are pending in the present application, of which claims 1 and 20 are  
independent.

Referring now to the Office Action, the Examiner has set forth the following  
rejections:

Claims 1-19 are rejected under 35 U.S.C. § 103(a) as unpatentable over  
Goldschmitt et al. (WO 96/24213A1, hereinafter Goldschmitt) in view of  
"World Wide Watch" (herein after The Mail) and Yamashita (US Patent  
No. 6,360,206)

Claims 20-21 are rejected under 35 U.S.C. § 103(a) as unpatentable over  
Goldschmitt in view of Yamashita and Uomini (US Patent No. 6,018,761),  
and

Claim 22 is rejected under 35 U.S.C. § 103(a) as unpatentable over Goldschmitt and the Mail and Yamashita as applied to claim 1, and further in view of Uomini.

Each of these rejections are respectfully traversed at least for the reasons provided below.

Specifically, the statute 35 U.S.C. 102 states:

A person shall be entitled to a patent unless -

(a) **the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or**

(b) **the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or**

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) **a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a); or**

(f) he did not himself invent the subject matter sought to be patented, or

(g) (1) during the course of an interference conducted under section 135 or section 291, another inventor involved therein establishes, to the extent permitted in section 104, that before such person's invention thereof the invention was made by such other inventor and not abandoned, suppressed, or concealed, or

(2) before such person's invention thereof, the invention was made in this country by another inventor who had not abandoned, suppressed, or concealed it.